

Message Text

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ACTION IO-13

INFO OCT-01 ADP-00 AF-10 ARA-11 EA-11 EUR-25 NEA-10 RSC-01

CIAE-00 DODE-00 PM-09 H-02 INR-09 L-03 NSAE-00 NSC-10

PA-03 PRS-01 SS-14 USIA-12 COA-02 EB-11 OIC-04 ACDA-19

AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04 INT-08

JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02 RSR-01

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TO SECSTATE WASHDC 7159

UNCLAS USUN 1038

E. O. 11652: N/A

TAGS: PBOR, UN

SUBJ: LOS: SC 1, MARCH 23

1. SUMMARY: US PROVISIONAL REGIME PROPOSAL WAS DISCUSSED BUT NO DECISION MADE ON STUDY REQUEST. ARCHEOLOGICAL TREASURES OF SEABED WAS ALSO DEBATED. END SUMMARY.

2. ENGO OPENED SC I MEETING WITH REQUEST FOR COMMENTS ON US PROPOSAL FOR SECRETARIAT STUDY ON PRECEDENTS FOR PROVISIONAL APPLICATION OF PERMANENT REGIME AND MACHINERY. CHILE (ZEGERS) MADE LONG INTERVENTION URGING THAT WG USE DECLARATION OF PRINCIPLES AS BASIS FOR ITS NEGOTIATIONS. HE ARGUED THAT SCOPE OF REGIME NOT BE LIMITED TO EXPLOITATION OF SEABED RESOURCES. HE STATED THAT REGIME SHOULD HAVE JURISDICTION OVER AREA; IDEALLY THERE SHOULD BE GLOBAL REGIME. ALTHOUGH, HE SAID, IN ORDER TO HAVE CONVENTION WIDELY ACCEPTABLE, MILITARY ACTIVITIES HAVE BEEN TACITLY EXCLUDED FROM SCOPE OF REGIME, IT IS ESSENTIAL THAT SCIENTIFIC RESEARCH, PREVENTION OF MARINE POLLUTION AND ENTIRE PRODUCTION (DEVELOPMENT AND MARKETING) PROCESS BE UNDER CONTROL OF REGIME. ZEGERS PROPOSED THAT UNCLASSIFIED

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SECRETARIAT UPDATE ECONOMIC IMPLICATIONS STUDY IN PRELIMINARY FORM BY JULY 1973 AND COMPLETE STUDY IN TIME FOR 1974 LOS

CONFERENCE IN SANTIAGO. HE THEN ENUMERATED RECENT DEVELOPMENTS IN SEABED MINING ABOUT WHICH HE APPEARED TO BE MISINFORMED: JAPANESE INVESTMENTS, WORK OF DEEPSEA VENTURES, HUGHES TOOL, KENNECOTT, WEST GERMAN CONSORTIUM, SOVIET AND FRENCH RESEARCH AND SOVIET PARTICIPATION IN WORK OF GLOMAR CHALLENGER DEEP SEA RESEARCH VESSEL.

3. AFTER INTERVENTION BY CHILE, TANZANIAN REP SAID IT WAS IN BEST INTEREST OF ALL TO BEGIN OPERATIONS OF REGIME AS SOON AS POSSIBLE AND TANZANIA COULD SUPPORT ANY PROPOSAL THAT WILL SPEED UP APPLICATION OF NEW NORMS INCLUDING PROPOSAL TO CONSIDER POSSIBILITY OF PROVISIONAL APPLICATION OF TREATY. HE STRESSED THAT HE DOES NOT SUBSCRIBE TO US VIEWS ON LIMITED SCOPE OF PROVISIONAL REGIME AS FUNCTIONS OTHER THAN RESOURCE MANAGEMENT SHOULD BE INCLUDED. HE SUGGESTED PROVISIONS ON TERRITORIAL SEA AND ECONOMIC ZONE COULD ALSO GO INTO EFFECT UNDER PROVISIONAL REGIME AND URGED THAT OTHER SUBCOMMITTEES CONSIDER THIS POSSIBILITY. HE ALSO SAID HE WAS NOT HAPPY WITH MOTIVATION BEHIND US PROPOSAL AND EXPRESSED HOPE THAT DELAY IN NEGOTIATING CONVENTION WOULD NOT BE USED AS EXCUSE FOR UNILATERAL ACTION BY US. AS TO US STUDY PROPOSAL, TANZANIA REP SAID HE HAD NO VIOLENT OBJECTION BUT QUESTIONED ITS USEFULNESS IN ITS PRESENT FORM AND SUGGESTED THAT STUDY BE PREPARED REFLECTING FULL RANGE OF VARIOUS POLITICAL POSITIONS ON REGIME.

4. INDIAN REP DESCRIBED US PROPOSAL AS CONTRIBUTION TO NEGOTIATIONS. HE STRESSED THAT US PROPOSAL WAS NOT FOR INTERIM REGIME BUT FOR PROVISIONAL APPLICATION OF CONVENTION. HE RESERVED HIS POSITION AS TO WHICH PORTIONS OF THE TREATY MIGHT ENTER INTO FORCE PROVISIONALLY. HE SUPPORTED THE US STUDY PROPOSAL AND NOTED THAT US PROPOSAL INJECTS SENSE OF URGENCY INTO SEABED COMMITTEE DELIBERATIONS AND HE CONCLUDED WITH THE OPE THAT PROVISIONAL REGIME WAS NOT A QTE CONTINGENCY PLAN UNQTE FOR UNILATERAL ACTION BY THE US.

5. PERU RAISED SEVERAL OBJECTIONS REGARDING SUBSTANCE OF US PROPOSAL AND SUGGESTION FOR SECRETARIAT STUDY, ARGUING THAT IF EXPLOITING ENTERPRISE IS AGREED UPON IT UNCLASSIFIED

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WOULD NOT BE POSSIBLE TO ESTABLISH THIS RAPIDLY UNDER A PROVISIONAL REGIME AND THEREFORE CONTEMPLATION OF PROVISIONAL REGIME, IN SENSE, PREJUDICES SUBSTANTIVE OUTCOME OF NEGOTIATIONS. PERUVIAN REP INSISTED THAT US SUBMIT A WRITTEN PROPOSAL FOR SECRETARIAT STUDY IN FORM OF DRAFT.

6. US REP STRESSED THAT WE SEEK ONLY FACTUAL STUDY ON PAST PRECEDENTS BUT HAD NO OBJECTION TO AGREEING THAT IN PREPARATION OF STUDY, SECRETARIAT SHOULD HAVE DISCRETION

TO CONSIDER POINTS RAISED BY TANZANIA. CHILE RAISED SEVERAL TECHNICAL QUESTIONS REGARDING SCOPE OF PROVISIONAL REGIME, POSSIBILITY THAT IT WAS NOT APPLICABLE TO OPERATING ENTERPRISE AND CHILEAN CONSTITUTIONAL PROBLEMS WITH ACCEPTING AGREEMENT THAT WAS NOT RATIFIED. HE INSISTED THAT US SUGGESTION BE IN WRITTEN FORM. CHAIRMAN ENGO POSTPONED FINAL DECISION ON PROPOSAL UNTIL NEXT MEETING OF SC.

7. REMAINDER OF SC I DEVOTED TO DEBATE ON PROVISIONS ON ARCHEOLOGICAL AD HISTORICAL TREASURES FOUND ON SEABED. GREECE EXPLAINED IN DETAIL ITS PROPOSALS FOR PRINCIPLES AND STATED IT WOULD SUBMIT DRAFT TREATY ARTICLE ON THIS ISSUE SHORTLY. CYPRESS, ITALY AND SPAIN EXPRESSED SUPPORT FOR GREEK CONCEPTS. TURKEY INDICATED IT SUPPORTED THE GENERAL IDEA OF PRESERVATION OF ARCHEOLOGICAL TREASURES BUT RAISED A NUMBER OF TECHNICAL CRITICISMS OF GREEK DRAFT. PHILLIPS

UNCLASSIFIED

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